UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/47/715
10 December 1992

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 96

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS

HUMANITARIAN QUESTIONS

Report of the Third Committee

Rapporteur: Mr. Vitavas SRIVIHOK (Thailand)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 18 September 1992, the General Assembly, on the recommendations of the General Committee, decided to include in the agenda of its forty-seventh session the item entitled:

> "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions:
>
> "(a) Report of the United Nations High Commissioner for Refugees;
>
> "(b) Questions relating to refugees, returnees and displaced persons;
>
> "(c) Humanitarian questions"

and to allocate it to the Third Committee.

2. The Committee considered the item at its 34th to 39th, and 41st to 43rd meetings, from 10 to 13 and from 16 to 18 November. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/47/SR.34-39 and 41-43).

3. For its consideration of the item, the Committee had before it the following documentation:

(a) Report of the United Nations High Commissioner for Refugees (A/47/12 1/ and Add.1); 2/

(b) Report of the Secretary-General on the New International Humanitarian Order (A/47/352);

(c) Report of the Secretary-General on the International Conference on Central American Refugees (A/47/364);

(d) Report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/47/529 and Corr.1);

(e) Report of the Secretary-General on humanitarian assistance to victims of natural disasters and similar emergency situations (A/47/540);

(f) Letter dated 11 February 1992 from the Permanent Representative of Liberia to the United Nations addressed to the Secretary-General (A/47/91-S/23585);

(g) Letter dated 23 March 1992 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General (A/47/131);

(h) Letter dated 20 April 1991 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General (A/47/178);

(i) Letter dated 17 June 1992 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General (A/47/280);

(j) Letter dated 29 June 1992 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General (A/47/296);

(k) Letter dated 28 July 1992 from the Permanent Representative of Singapore to the United Nations addressed to the Secretary-General (A/47/351-S/24357);

1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 12 (A/47/12).

2/ To be issued as Official Records of the General Assembly, Forty-seventh Session, Supplement No. 12A (A/47/12/Add.1).

(l) Letter dated 6 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Mauritania to the United Nations addressed to the Secretary-General (A/47/365);

(m) Letter dated 17 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Solomon Islands to the United Nations addressed to the Secretary-General (A/47/391);

(n) Letter dated 2 September 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the Secretary-General (A/47/420-S/24519);

(o) Letter dated 25 August 1992 from the Permanent Representative of China to the United Nations addressed to the Secretary-General (A/47/564);

(p) Letter dated 6 November 1992 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (A/47/638-S/24772);

(q) Letter dated 20 October 1992 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General (A/47/569);

4. At the 34th meeting, on 10 November, the United Nations High Commissioner for Refugees made an introductory statement (see A/C.3/47/SR.34).

5. At the same meeting, the Under-Secretary-General for Humanitarian Affairs made an introductory statement (see A/C.3/47/SR.34).

6. At the 41st meeting, on 16 November, the Director of External Affairs and Chef de Cabinet, Office of the United Nations High Commissioner for Refugees, made concluding remarks (see A/C.3/47/SR.41).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/47/L.27

7. At the 41st meeting, on 16 November, the representative of Honduras, on behalf of Argentina, Belize, Bolivia, Chile, Costa Rica, Cuba, El Salvador, Finland, France, Germany, Guatemala, Haiti, Honduras, Italy, Jamaica, Mexico, Nicaragua, Norway, Panama, Spain, Suriname, Sweden, Uruguay and Venezuela, introduced a draft resolution (A/C.3/47/L.27) entitled "International Conference on Central American Refugees". Subsequently, Belgium, Colombia, Côte d'Ivoire, Croatia, Egypt, Morocco and Nigeria joined in sponsoring the draft resolution.

8. At the 43rd meeting, on 18 November, the Committee adopted draft resolution A/C.3/47/L.27 without a vote (see para. 26, draft resolution I).

B. Draft resolution A/C.3/47/L.34

9. At the 41st meeting, on 16 November, the representative of Norway, on behalf of Argentina, Australia, Austria, Bangladesh, Belgium, Canada, China, Costa Rica, Cyprus, Czechoslovakia, Denmark, Djibouti, El Salvador, Egypt, Ethiopia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Mauritius, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, the Philippines, Poland, Portugal, Romania, Rwanda, Spain, the Sudan, Sweden, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America and Venezuela, introduced a draft resolution (A/C.3/47/L.34) entitled "Continuation of the Office of the United Nations High Commissioner for Refugees". Subsequently, Afghanistan, Azerbaijan, Belize, Bulgaria, Chile, Côte d'Ivoire, Croatia, Guinea, Guinea-Bissau, Haiti, Honduras, Liechtenstein, Malaysia, Morocco, Namibia, Samoa and Uruguay joined in sponsoring the draft resolution.

10. At its 43rd meeting, on 18 November, the Committee adopted draft resolution A/C.3/47/L.34 without a vote (see para. 26, draft resolution II).

C. Draft decision A/C.3/47/L.35

11. At the 41st meeting, on 16 November, the Chairman of the Third Committee introduced a draft decision (A/C.3/47/L.35) entitled "Prisoners of war and persons missing as a result of war in Afghanistan".

12. At the 43rd meeting, on 18 November, the Chairman revised the draft decision by adding the following text:

> "The Governments of the newly independent States concerned and the Government of the Islamic State of Afghanistan are also encouraged to hold negotiations and contacts in good faith in order to achieve the above-mentioned humanitarian objective".

13. At the same meeting, the Committee adopted draft decision A/C.3/47/L.35, as orally revised, without a vote (see para. 27).

D. Draft resolution A/C.3/47/L.36

14. At the 42nd meeting, on 17 November, the representative of Norway, on behalf of Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Cyprus, Czechoslovakia, Denmark, Egypt, El Salvador, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Mauritius, Morocco, Mozambique, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, the Philippines, Poland, Portugal, Romania, the Russian Federation, Spain, the Sudan, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Venezuela, introduced a

draft resolution (A/C.3/47/L.36) entitled "Office of the United Nations High Commissioner for Refugees". Subsequently, Afghanistan, Albania, Azerbaijan, Belize, Burundi, Cameroon, Côte d'Ivoire, Croatia, Guinea-Bissau, Haiti, Namibia, the Republic of Korea, Rwanda, Samoa, the United Republic of Tanzania and Togo joined in sponsoring the draft resolution.

15. In introducing the draft resolution, the representative of Norway made the following oral revisions to operative paragraph 17 of the draft resolution:

(a) At the beginning of the paragraph, the word "Underlines" was replaced by the word "Notes";

(b) Before the words "the High Commissioner", the word "urges" was replaced by the word "encourages".

16. At the 43rd meeting, on 18 November, the Committee adopted draft resolution A/C.3/47/L.36, as orally revised, without a vote (see para. 26, draft resolution III).

E. Draft resolution A/C.3/47/L.37

17. At the 42nd meeting, on 17 November, the representative of Jordan, on behalf of Bangladesh, Egypt, France, the Gambia, Honduras, Indonesia, Italy, Jamaica, Jordan, Lebanon, Mongolia, Morocco, Pakistan, Peru, Qatar, Romania, the Russian Federation, Sierra Leone, the Sudan, Tunisia and Yemen, introduced a draft resolution (A/C.3/47/L.37) entitled "New international humanitarian order". Subsequently, Cyprus, Djibouti, the Libyan Arab Jamahiriya, Mauritania, Nigeria, Oman, the Philippines and Togo joined in sponsoring the draft resolution.

18. At its 43rd meeting, on 18 November, the Committee adopted draft resolution A/C.3/47/L.37 without a vote (see para. 26, draft resolution IV).

19. At the same meeting, the representatives of Algeria and Barbados made statements before the adoption of the draft resolution.

20. Also at the same meeting, the representative of the United States of America made a statement after the adoption of the draft resolution.

F. Draft resolution A/C.3/47/L.38

21. At the 42nd meeting, on 17 November, the representative of Austria, on behalf of Austria, Azerbaijan, Bangladesh, Belgium, Botswana, Burkina Faso, the Central African Republic, Chad, Chile, China, Cuba, Djibouti, the Dominican Republic, Egypt, Ethiopia, Finland, France, Germany, Guinea-Bissau, Italy, Japan, Kenya, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malaysia, Malawi, Mali, Morocco, the Netherlands, New Zealand, Norway, the Philippines, Singapore, Sudan, Sweden, Turkey, the United Kingdom of Great

Britain and Northern Ireland and Zambia, introduced a draft resolution (A/C.3/47/L.38) entitled "Assistance to refugees, returnees and displaced persons in Africa". Subsequently, Afghanistan, Angola, Benin, Burundi, Cameroon, Canada, Côte d'Ivoire, Croatia, Cyprus, Denmark, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Iceland, India, Luxembourg, Nigeria, the Republic of Korea, Rwanda, Samoa, Sierra Leone, Togo and Uganda joined in sponsoring the draft resolution.

22. When introducing the draft resolution, the representative of Austria made the following oral revisions:

(a) In the sixteenth preambular paragraph, before the words "displaced persons", the word "externally" should be inserted;

(b) In the eighteenth preambular paragraph, after the words "Government of Djibouti and", the words "the Office of" should be deleted.

23. At the 43rd meeting, on 18 November, the representative of Austria orally revised operative paragraph 8 of the draft resolution by adding after the word "Commissioner" the words "for Refugees, the Department for Humanitarian Affairs of the Secretariat".

24. At the same meeting, the Committee adopted draft resolution A/C.3/47/L.38, as orally revised, without a vote (see para. 26, draft resolution V).

25. Also at the same meeting, the representative of Djibouti made a statement before the adoption of the draft resolution.

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

26. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

International Conference on Central American Refugees

The General Assembly,

Recalling its resolutions 42/1 of 7 October 1987, 42/110 of 7 December 1987, 42/204 of 11 December 1987, 42/231 of 12 May 1988, 43/118 of 8 December 1988, 44/139 of 15 December 1989, 45/141 of 14 December 1990 and 46/107 of 16 December 1991,

Recalling also that the International Conference on Central American Refugees is related to the initiative of the Central American Presidents expressed in the procedures for the establishment of a firm and lasting peace in Central America concluded at the Esquipulas II summit meeting in August 1987, 3/ as indicated in the San Salvador communiqué on the Central American refugees, of 9 September 1988, 4/

Recognizing the importance and validity of the Declaration and the Concerted Plan of Action in favour of Central American Refugees, Returnees and Displaced Persons, adopted at the International Conference on Central American Refugees held at Guatemala City from 29 to 31 May 1989 5/ and the Declaration of the First International Meeting of the Follow-Up Committee of the Conference, 6/ especially the framework contained in the Concerted Plan of Action,

Noting with satisfaction the concerted efforts being made by the Central American countries, Belize and Mexico to find lasting solutions to the problems of the refugees, returnees and displaced persons in implementing the aims and objectives of the Concerted Plan of Action as an integral part of efforts to achieve a stable and lasting peace and democratization of the region,

---

3/ A/42/521-S/19085, annex; see Official Records of the Security Council, Forty-second Year, Supplement for July, August and September 1987, document S/19085.

4/ A/C.3/43/6, annex.

5/ See A/44/527 and Corr.1, annex.

6/ CIREFCA/CS/90/10.

Welcoming the peace agreements achieved in the peace process in El Salvador, whereby efforts are being made to consult with all national sectors, the peace dialogue in Guatemala and the progress being made in Nicaragua in the implementation of its national reconciliation policy and in assistance to the uprooted populations, which continues to encourage movements of voluntary repatriation and settlement of internally displaced persons,

Recognizing the substantial support that, inter alia, the Secretary-General, the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme, the donor community and national and international non-governmental organizations have given the Conference since its inception,

Taking note of the communiqué of the Second International Meeting of the Follow-Up Committee of the Conference, held at Managua, Nicaragua, on 29 September 1992,

Convinced that peace, liberty, development and democracy are essential in order to solve the problems of uprooted populations in the region,

1. Takes note of the reports submitted by the Secretary-General 7/ and the United Nations High Commissioner for Refugees 8/ and of the second progress report on the implementation of the Concerted Plan of Action of the International Conference on Central American Refugees;

2. Welcomes with satisfaction the outcome of the meetings of the Follow-Up Committee of the International Conference on Central American Refugees, held at San José on 2 and 3 April 1991, at San Pedro Sula, Honduras, from 17 to 19 June 1991, at Tegucigalpa on 13 and 14 August 1991, at Managua on 25 and 26 October 1991, at San Salvador on 7 and 8 April 1992 and at Managua on 26 September and 28 October 1992;

3. Urges the Central American countries, Belize and Mexico to continue to implement and follow up the programmes benefiting refugees, returnees and displaced persons in accordance with their national development plans;

4. Reaffirms its conviction that the voluntary repatriation of refugees and the return of displaced persons to their countries or communities of origin is one of the most positive signs of the progress of peace in the region;

7/ A/47/364.

8/ See Official Records of the General Assembly, Forty-seventh Session, Supplement No. 12 (A/47/12), paras. 161-164; and ibid., Supplement No. 12A (A/47/12/Add.1), para. 28.

5. Expresses its conviction that the processes of return to and reintegration in the countries and communities of origin should take place in conditions of dignity and security and with the necessary guarantees to ensure that the affected populations are included in the respective national development plans;

6. Requests the Secretary-General, the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and other organs of the United Nations system to continue their support for and involvement in the planning, implementation, evaluation and follow-up of the programmes generated through the Conference process;

7. Supports the Governments of the Central American countries, Belize and Mexico in urgently seeking more precise details about the support to be provided by the United Nations Development Programme in the immediate future, once the emergency stage has been completed, with the assistance of the United Nations High Commissioner for Refugees, and once the transition towards a process of sustained development of the target populations has been initiated, within the framework of the Conference;

8. Welcomes with satisfaction the progress made in the implementation of the Development Programme for Displaced Persons, Refugees and Repatriated Persons, and urges the Central American countries to continue their determined support to ensure that the Programme achieves its aims;

9. Appeals to the international community, particularly to the donor community, to continue and to strengthen their support for the Conference and to continue complying with the financing offered so as to be able effectively to achieve the goals and objectives of the Concerted Plan of Action, and to consolidate the progress made thus far in humanitarian assistance to refugees and repatriated and displaced persons of the region;

10. Supports the special attention that the Central American countries, Belize and Mexico are giving to the particular needs of refugee, repatriated and displaced women and children and to the measures being adopted to protect and improve the environment and to preserve ethnic and cultural values;

11. Resolves to give its full support to the Declaration of the Second International Meeting of the Follow-Up Committee of the International Conference on Central American Refugees, held at San Salvador on 7 and 8 April 1992 and at Managua on 29 September and 28 October 1992;

12. Supports the initiative of the Governments of the countries of Central America, Belize and Mexico to extend the duration of the Conference process until May 1994, in the light of the new needs that have emerged following the changes in the region;

13. Requests the Secretary-General to submit to the General Assembly at its forty-eighth session a report on the implementation of the present resolution.

DRAFT RESOLUTION II

Continuation of the Office of the United Nations High Commissioner for Refugees

The General Assembly,

Recalling its resolution 42/108 of 7 December 1987, in which it decided to review, not later than at its forty-seventh session, the arrangements for the Office of the United Nations High Commissioner for Refugees with a view to determining whether the Office should be continued beyond 31 December 1993,

Recognizing the need for concerted international action on behalf of the increasing numbers of refugees and displaced persons of concern to the High Commissioner,

Considering the outstanding work that has been performed by the Office of the High Commissioner in providing international protection and material assistance to refugees and displaced persons as well as in promoting permanent solutions to their problems,

Noting with deep appreciation the effective manner in which the Office of the High Commissioner has been dealing with various essential humanitarian tasks entrusted to it,

1. Decides to continue the Office of the United Nations High Commissioner for Refugees for a further period of five years from 1 January 1994;

2. Decides also to review, not later than at its fifty-second session, the arrangements for the Office of the High Commissioner with a view to determining whether the Office should be continued beyond 31 December 1998.

DRAFT RESOLUTION III

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office, 9/ as well as the report of the Executive Committee of the Programme of the United Nations High Commissioner

---

9/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 12 (A/47/12).

on the work of its forty-third session, 10/ and taking note of the statement made by the High Commissioner on 10 November 1992, 11/

Recalling its resolution 46/106 of 16 December 1991,

Reaffirming the purely humanitarian and non-political character of the activities of the Office of the High Commissioner, as well as the fundamental importance of the High Commissioner's international protection function and the need for States to cooperate with the High Commissioner in the exercise of this primary and essential responsibility,

Noting with satisfaction that one hundred and fourteen States are now parties to the 1951 Convention 12/ and/or the 1967 Protocol 13/ relating to the Status of Refugees,

Welcoming the valuable support extended by Governments to the High Commissioner in carrying out her humanitarian tasks,

Noting with concern that the number of refugees and displaced persons of concern to the High Commissioner, as well as of other persons to whom her Office is asked to extend assistance and protection, has continued to increase and that their protection continues to be seriously jeopardized in many situations as a result of non-admission, expulsion, refoulement and unjustified detention, as well as other threats to their physical security, dignity and well-being, and lack of respect for fundamental freedoms and human rights,

Commending the continued efforts of the High Commissioner to improve the situation of refugee women and children, who represent the majority of refugee populations and who, in many cases, are exposed to a variety of difficult situations affecting their physical and legal protection, as well as their psychological and material well-being,

Emphasizing the need for States to assist the High Commissioner in her efforts to find durable and timely solutions to the problems of refugees based on new approaches that take into account the current size and characteristics of these problems and are built on respect for fundamental freedoms and human rights and internationally agreed protection principles and concerns,

---

10/ Ibid., Supplement No. 12A (A/47/12/Add.1).

11/ See A/C.3/47/SR.34.

12/ United Nations, Treaty Series, vol. 189, No. 2545.

13/ Ibid., vol. 606, No. 8791.

Welcoming the commitment of the High Commissioner, bearing in mind her mandate and responsibilities, to explore and undertake activities aimed at preventing conditions that give rise to refugee outflows, as well as to strengthen emergency preparedness and response mechanisms and the concerted pursuit of voluntary repatriation,

Commending those States, particularly the least developed among them, that, despite severe economic and development challenges of their own, continue to admit large numbers of refugees and displaced persons of concern to the High Commissioner into their territories, and emphasizing the need to share the burden of these States to the maximum extent possible through international assistance, including development-oriented assistance, and through promotion of durable solutions,

Commending the High Commissioner and her staff for the dedicated manner in which they discharge their responsibilities, and paying special tribute to those staff members who have lost their lives in the course of their duties,

1. Strongly reaffirms the fundamental nature of the function of the Office of the United Nations High Commissioner for Refugees to provide international protection and the need for States to cooperate fully with the Office in fulfilling this function, in particular by acceding to and fully and effectively implementing the relevant international and regional refugee instruments;

2. Recognizes the increasing magnitude and complexity of present refugee problems, the risk of further refugee outflows in certain countries or regions and the challenges confronting refugee protection;

3. Emphasizes the need to keep issues related to refugees, displaced persons, asylum-seekers and other migratory flows firmly on the international political agenda, especially the question of solution-oriented approaches to deal with such contemporary problems and their causes;

4. Calls upon all States to refrain from taking measures that jeopardize the institution of asylum, in particular by returning or expelling refugees contrary to the fundamental prohibitions against these practices, and urges States to ensure fair and efficient determination procedures for asylum-seekers and to continue to give humane treatment and to grant asylum to refugees;

5. Expresses deep concern regarding persistent problems in some countries or regions seriously jeopardizing the security or well-being of refugees, including incidents of refoulement, expulsion, physical attacks and detention under unacceptable conditions, and calls upon States to take all measures necessary to ensure respect for the principles of refugee protection as well as humane treatment of asylum-seekers in accordance with internationally recognized human rights norms;

6. Acknowledges with appreciation the progress made in the implementation of the Guidelines on the Protection of Refugee Women 14/ and calls upon States, the High Commissioner and other parties concerned to cooperate in eliminating all forms of discrimination, sexual exploitation and violence against female refugees and asylum-seekers and in promoting their active involvement in decisions affecting their lives and communities;

7. Welcomes the appointment of a Senior Coordinator for Refugee Children, and reiterates the importance of promoting measures to ensure the protection and well-being of refugee children, in particular unaccompanied minors, in coordination with States and other international, intergovernmental and non-governmental organizations;

8. Welcomes also the High Commissioner's proposal to appoint an environmental coordinator responsible for developing guidelines and taking other measures for incorporating environmental considerations into the programmes of the Office of the High Commissioner, especially in the least developed countries, in view of the impact on the environment of the large numbers of refugees and displaced persons of concern to the High Commissioner;

9. Reaffirms the importance of attaining durable solutions to refugee problems, including voluntary repatriation, integration in the country of asylum and resettlement in third countries, as appropriate, and urges all States and relevant organizations to support the High Commissioner in her efforts to search for durable solutions to the problem of refugees and displaced persons of concern to her Office, primarily through the preferred solution of voluntary repatriation;

10. Underlines strongly State responsibility, particularly as it relates to the countries of origin, including addressing root causes, facilitating voluntary repatriation of refugees and the return, in accordance with international practice, of their nationals who are not refugees;

11. Notes the significant organized voluntary repatriation movements that have taken place in 1992, and calls on all States and relevant organizations to support the High Commissioner in continuing and further reinforcing her efforts to promote conditions conducive to voluntary return in safety and dignity;

12. Urges the High Commissioner to continue her efforts to involve international, national and intergovernmental development agencies, as well as non-governmental agencies, in the planning phases for voluntary repatriation, so as to ensure that basic reintegration assistance is complemented by broader development initiatives focused on the areas of return;

14/ See document EC/SCP/67, annex, of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees.

13. Supports the strengthened efforts by the High Commissioner to explore protection and assistance strategies that aim at preventing conditions that give rise to refugee outflows and at addressing their root causes, and urges her to pursue such efforts, bearing in mind fundamental protection principles and her mandate, in close coordination with the Governments concerned and within an inter-agency, intergovernmental and non-governmental framework as appropriate;

14. Welcomes, in this context, efforts by the High Commissioner, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the concerned State, to undertake activities in favour of internally displaced persons, taking into account the complementarities of the mandates and expertise of other relevant organizations;

15. Recognizes the importance of the promotion of refugee law as an element of emergency preparedness, as well as to facilitate prevention of and solutions to refugee problems, and calls upon the High Commissioner to continue to strengthen the training and promotion activities of her Office;

16. Strongly deplores ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urges States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities;

17. Notes the relationship between situations giving rise to refugee flows and lack of respect for human rights, and encourages the High Commissioner to continue her efforts to increase cooperation with the Commission on Human Rights, the Centre for Human Rights and relevant organizations;

18. Expresses concern regarding xenophobia and racist attitudes in segments of the population in a number of countries receiving refugees and asylum-seekers, which exposed them to considerable danger, and, therefore, calls upon States and the Office of the High Commissioner to continue to work actively to promote broader understanding throughout national communities of the plight of refugees and asylum-seekers;

19. Welcomes the progress made by the High Commissioner in her efforts to enhance the capacity of her Office to respond to emergencies, and encourages her to continue to work closely with the Under-Secretary-General for Humanitarian Affairs, as well as with United Nations organizations and governmental, intergovernmental or non-governmental bodies, to assure a coordinated and effective response to complex, humanitarian emergency situations;

20. Expresses deep concern at conditions, in a number of countries or regions, which seriously endanger the delivery of humanitarian assistance and the security of the staff of the High Commissioner and other relief workers, deplores the recent loss of lives among the staff involved in humanitarian

operations, and calls upon States to take all necessary measures to ensure the safe and timely access for humanitarian assistance and the security of international and local staff undertaking humanitarian work in their countries;

21. Expresses deep appreciation for the generous humanitarian response of receiving countries, in particular those developing countries that, despite limited resources, continue to admit large numbers of refugees;

22. Urges the international community, including non-governmental organizations, in accordance with the principle of international solidarity and in the spirit of burden-sharing, to continue to assist the countries referred to above and the High Commissioner in order to enable them to cope with the additional burden that the care of refugees and asylum-seekers represents;

23. Calls upon all Governments and other donors to contribute to the High Commissioner's programmes and, taking into account the need to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and displaced persons of concern to the Office of the High Commissioner are met.

DRAFT RESOLUTION IV

New international humanitarian order

The General Assembly,

Recalling its resolutions 36/136 of 14 December 1981, 37/201 of 18 December 1982, 38/125 of 16 December 1983, 40/126 of 13 December 1985, 42/120 of 7 December 1987, 43/129 of 8 December 1988 and 45/101 of 14 December 1990 relating to the promotion of a new international humanitarian order,

Recalling also its resolutions 42/121 of 7 December 1987, 43/130 of 8 December 1988 and 45/102 of 14 December 1990 relating to the promotion of international cooperation in the humanitarian field,

Taking note of the reports of the Secretary-General 15/ and the comments made by various Governments, specialized agencies of the United Nations and non-governmental organizations,

---

15/ A/37/145, A/38/450, A/40/348 and Add.1 and 2, A/41/472, A/43/734 and Add.1, A/45/524 and A/47/352.

Noting the actions being taken by the specialized agencies and programmes of the United Nations system with regard to humanitarian issues, examined by the Independent Commission on International Humanitarian Issues, that fall within their respective mandates,

Convinced that solving humanitarian problems requires international cooperation and harmonization of actions taken by Governments and intergovernmental and non-governmental organizations as well as individuals,

Recognizing with concern the continuing need further to strengthen international responses to growing humanitarian challenges, and to undertake creative humanitarian action at the international, regional and national levels to alleviate human suffering and to promote durable solutions to humanitarian problems,

Recognizing further the need for active follow-up to the recommendations and suggestions made by the Independent Commission and the role being played in this regard by the Independent Bureau for Humanitarian Issues, set up for the purpose,

1. Expresses its appreciation to the Secretary-General for his continuing active support to the efforts to promote a new international humanitarian order;

2. Urges Governments as well as governmental and non-governmental organizations that have not yet done so to provide their comments and expertise to the Secretary-General regarding the humanitarian order and the report of the Independent Commission on International Humanitarian Issues;

3. Invites Governments to make available to the Secretary-General, on a voluntary basis, information and expertise on humanitarian issues of concern to them in order to indentify opportunities for future action;

4. Calls upon Governments, the United Nations system and intergovernmental and non-governmental organizations further to develop international cooperation in the humanitarian field;

5. Reiterates that international cooperation in the humanitarian field will facilitate better understanding, mutual respect, confidence and tolerance among countries and peoples, thus contributing to a more just and non-violent world;

6. Invites the Independent Bureau for Humanitarian Issues to continue and further strengthen its essential role in following up the work of the Independent Commission;

7. Encourages the international community to contribute substantially and regularly to the international humanitarian activities required to promote a new humanitarian order;

8. Requests the Secretary-General to remain in contact with Governments as well as governmental and non-governmental organizations and the Independent Bureau for Humanitarian Issues and to report on the progress made by them to the General Assembly at its forty-ninth session;

9. Decides to review at its forty-ninth session the question of a new international humanitarian order.

DRAFT RESOLUTION V

Assistance to refugees, returnees and displaced persons in Africa

Recalling its resolution 46/108 of 16 December 1991,

Having considered the reports of the Secretary-General 16/ and the United Nations High Commissioner for Refugees, 9/

Bearing in mind that most of the affected countries are least developed countries,

Convinced of the necessity to strengthen the capacity within the United Nations system for the implementation and overall coordination of relief programmes for refugees, returnees and displaced persons,

Welcoming the prospects for voluntary repatriation and durable solutions across the continent,

Recognizing the need for States to create conditions conducive to the prevention of flows of refugees and displaced persons and to voluntary repatriation,

Bearing in mind that the majority of refugees and displaced persons are women and children,

Noting with appreciation the commitment of the countries concerned to do their utmost to facilitate the provision of assistance to the affected populations and to take the necessary measures in this regard,

Realizing the importance of assisting the host countries, in particular those countries that have been hosting refugees for a longer time, to remedy environmental deterioration and the negative impact on public services and the development process,

---

16/ A/47/529 and Corr.1.

Recognizing the mandate of the High Commissioner to protect and assist refugees and returnees and the catalytic role she plays, together with the international community and development agencies, in addressing the broader issues of development relating to refugees, returnees and displaced persons,

Bearing in mind the necessity of facilitating the work of humanitarian organizations, in particular the supply of food, medicine and health care to refugees, returnees and displaced persons, deploring acts of aggression against personnel of humanitarian organizations, particularly those that have led to the loss of life, and stressing the need to guarantee the safety of the personnel of those organizations,

Deeply concerned about the critical humanitarian situation in African countries, in particular, in the Horn of Africa, caused by drought, conflict and population movements,

Welcoming regional efforts to resolve refugees problems, such as the Declaration adopted at the Summit of the Heads of State and Government of the countries of the Horn of Africa on humanitarian issues, held at Addis Ababa on 8 and 9 April 1992, 17/

Taking into account the revised appeal of the Secretary-General for the Special Emergency Programme for the Horn of Africa,

Deeply concerned by the massive presence of refugees and externally displaced persons in Djibouti, representing more than twenty per cent of the total population of the country, and by their uninterrupted influx due to the tragic situation in Somalia,

Also deeply concerned by the serious consequences of the presence of refugees and externally displaced persons for the already difficult economic and social situation in Djibouti, which is suffering from prolonged drought and the negative impact of the critical situation in the Horn of Africa,

Recognizing the fact that more than half of the refugees and externally displaced persons in Djibouti are located in Djibouti City in most serious difficulties and without direct international assistance, exerting an intolerable pressure on the limited resources of the country and the social infrastructure and causing, in particular, serious problems of security,

Also recognizing the need for cooperation between the Government of Djibouti and the High Commissioner and relevant organizations to find alternative solutions for the problem of refugees in Djibouti City and to be able to mobilize the necessary external assistance to meet their specific needs,

---

17/ See A/47/182, annex.

Aware of the fact that the refugee population in the refugee camps throughout Djibouti is in a precarious situation, facing the threat of famine, malnutrition and disease, and that it needs adequate external assistance for the provision of foodstuff, medical assistance and the necessary infrastructure for shelter,

Deeply concerned about the massive presence of refugees, voluntary returnees, displaced persons and demobilized soldiers in Ethiopia and the enormous burden that this has placed on the country's infrastructure and meagre resources,

Deeply concerned also about the grave consequences this has entailed for Ethiopia's capability to grapple with the effects of the prolonged drought and rebuild the country's economy,

Aware of the heavy burden placed on the Government of Ethiopia and of the need for immediate and adequate assistance to refugees, voluntary returnees, displaced persons, demobilized soldiers and victims of natural disasters,

Deeply concerned about the burden that has been placed on the Government and people of Kenya because of the continuing influx of refugees from the strife and famine that have stricken neighbouring countries,

Recognizing the great contribution and sacrifices that the Government of Kenya has made and continues to make in dealing with this situation while facing deteriorating conditions caused by the impact of the long drought that has affected its own population,

Emphasizing the importance and necessity of continuing assistance to the over one half million estimated refugees and diplaced persons in Kenya until such time as this situation has changed,

Deeply concerned about the tragic impact that the civil war in Somalia continues to have on the lives of its people, affecting four to five million people, who are either refugees in neighbouring countries or internally displaced and are in need of urgent humanitarian assistance,

Aware that the voluntary repatriation of large numbers of Somali refugees in neighbouring countries and elsewhere, as well as the return of internally displaced persons to their homes of origin, would require a planned and integrated international assistance programme designed to cover their basic needs, ensure adequate reception arrangements and facilitate their smooth integration into their respective communities,

Convinced that it is necessary that humanitarian assistance to Somali refugees, returnees and displaced persons be mobilized urgently and delivered without delay in view of the deteriorating situation of the displaced persons and returnees and the mounting pressure the refugees continue to place on the host countries,

Recognizing the fact that the Sudan has been hosting large numbers of refugees over an extended period of time,

Aware of the economic difficulties facing the Government of the Sudan, and the need for adequate assistance for the refugees and displaced persons in the Sudan and the rehabilitation of the areas in which they are located,

Encouraging the Government of the Sudan and the Office of the High Commissioner for the efforts they have undertaken towards voluntary repatriation of large numbers of refugees to their homelands,

Deeply concerned about the plight of Sudanese refugee children, particularly the problem of unaccompanied minors, and emphasizing the need for their protection, well-being and reunification with their families,

Considering that the repatriation and reintegration of returnees and the relocation of displaced persons are aggravated by natural disasters and that the process poses serious humanitarian, social and economic problems to the Government of Chad,

Cognizant of the appeal to Member States and intergovernmental and non-governmental organizations to continue to provide the necessary assistance to the Government of Chad to alleviate its problems and improve its abilities to implement the programme of repatriation, reintegration and relocation of voluntary returnees and displaced persons,

Noting with appreciation the continuing mediatory efforts of the Economic Community of West African States to find a peaceful solution to the Liberian crisis, and the important decision incorporated in both the Yamoussoukro IV Accord of 29 October 1991 and the Final Communiqué of the Authority of Heads of State and Government of the Economic Community of West African States of 29 July 1992 aimed at a final settlement of the conflict,

Bearing in mind the findings and recommendations contained in the report of the Secretary-General on emergency humanitarian assistance to Liberian refugees, returnees and displaced persons, particularly the need to continue emergency relief operations since the security situation is not yet propitious for the conduct of large-scale voluntary repatriation,

Taking into account the special emergency appeal for displaced persons in Liberia made by the Special Coordinator for Emergency Relief Operations in Liberia,

Deeply concerned about the influx of internally displaced persons, returnees and refugees to Monrovia and the enormous burden this has placed on the infrastructure and fragile economy of the country,

Also deeply concerned that, despite the efforts made to provide the necessary material and financial assistance for the refugees, returnees and displaced persons, the situation still remains precarious and has serious

implications for the long-term national development of Liberia, as well as for those West African countries hosting Liberian refugees,

Recognizing the heavy burden placed on the people and Government of Malawi and the sacrifices they are making in caring for the refugees, given the country's limited social services and infrastructure, and the need for adequate international assistance to Malawi to enable it to continue its efforts to provide assistance to the refugees,

Gravely concerned about the continuing serious social, economic and environmental impact of the massive presence of refugees, as well as its far-reaching consequences for the long-term development process and environmental effects,

Bearing in mind the findings and recommendations of the 1991 inter-agency mission to Malawi, particularly on the need to strengthen the country's socio-economic infrastructure in order to enable it to provide for the immediate humanitarian relief requirements of the refugees as well as on the long-term national development needs of the country,

Convinced that, because of the serious economic situation and, in particular, because of the devastating drought in southern Africa, there is an urgent need for the international community to extend maximum and concerted assistance to southern African countries sheltering refugees, returnees and displaced persons,

Welcoming with appreciation the activities of the High Commissioner for the voluntary repatriation and reintegration of South African returnees, and hoping that the obstacles to the return of all refugees and exiles in conditions of safety and dignity will be removed without delay,

Recognizing the need to integrate refugee-related development projects in local and national development plans,

1. Takes note of the reports of the Secretary-General 16/ and the High Commissioner for Refugees; 9/

2. Commends the Governments concerned for their sacrifices and for providing assistance to refugees, returnees and displaced persons and their efforts to promote voluntary repatriation and other measures taken in order to find appropriate and lasting solutions;

3. Expresses deep concern at the serious and far-reaching consequences of the presence of large numbers of refugees and displaced persons in the countries concerned and the implications for their long-term socio-economic development;

4. Expresses its appreciation to the Secretary-General, the High Commissioner for Refugees, the specialized agencies of the United Nations, the International Committee of the Red Cross, donor countries and

intergovernmental and non-governmental organizations for their assistance in mitigating the plight of the large number of refugees, returnees and displaced persons;

5. Expresses the hope that additional resources will be made available for general refugee programmes to keep pace with refugee needs;

6. Appeals to Member States, international organizations and non-governmental organizations to provide adequate and sufficient financial, material and technical assistance for relief and rehabilitation programmes for the large number of refugees, voluntary returnees and displaced persons and victims of natural disasters;

7. Requests all Governments and intergovernmental and non-governmental organizations to pay particular attention to the special needs of refugee women and children;

8. Calls upon the Secretary-General, the High Commissioner for Refugees, the Department for Humanitarian Affairs of the Secretariat and United Nations humanitarian agencies to continue their efforts to mobilize humanitarian assistance for the relief, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including those refugees in urban areas;

9. Requests the Secretary-General to continue his efforts to mobilize adequate financial and material assistance for the full implementation of ongoing projects in rural and urban areas affected by the presence of refugees, returnees and displaced persons;

10. Requests the High Commissioner to continue her efforts with the appropriate United Nations agencies and intergovernmental, governmental and non-governmental organizations in order to consolidate and increase essential services to refugees, returnees and displaced persons;

11. Requests the Secretary-General to submit a comprehensive and consolidated report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its forty-eighth session, under the sub-item entitled "Questions relating to refugees, returnees and displaced persons", and an oral report to the Economic and Social Council at its regular session of 1993.

* * *

27. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Prisoners of war and persons missing as a result of war in Afghanistan

The General Assembly calls upon the Governments of the Russian Federation and the Islamic State of Afghanistan to enter into negotiations and consultations for the purpose of solving the humanitarian question of prisoners of war and missing persons on both sides, on the basis of the joint statement of the Russian Federation and the Islamic State of Afghanistan issued on 14 May 1992, in which both sides expressed their readiness to do everything necessary for the earliest and unconditional release of all the war prisoners and to seek the whereabouts of missing persons to give them a chance to return to their home country without any obstruction. The Governments of the newly independent States concerned and the Government of the Islamic State of Afghanistan are also encouraged to hold negotiations and contacts in good faith in order to achieve the above-mentioned humanitarian objective.